

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DALE STEIN,) No. C 11-1243 JSW (PR)
Plaintiff,)
v.) **ORDER DENYING MOTION FOR
PROTECTIVE ORDER; SETTING
DISCOVERY LIMITS**
G. WOODS; DR. ARTHUR F. MAJOR;)
DR. R. NORTON; STANLAKE K. YE;)
G. ELLIS; N. WARREN,)
Defendants.)

Plaintiff, a California prisoner proceeding pro se, filed this rights action pursuant to 42 U.S.C. § 1983 against various prison officials for inadequate dental care. On May 3, 2011, Defendants were ordered to file a motion for summary judgment or other dispositive motion within ninety days. In the meantime, they have filed a motion for a protective order staying all discovery. Defendants indicate that Plaintiff has propounded six sets of interrogatories for a total of 117 discovery requests. They claim that they intend to assert a defense of qualified immunity in their motion for summary judgment and therefore should not have to face the burden of responding to the voluminous discovery requests.

As Plaintiff may need to propound some discovery in order to oppose a motion based on qualified immunity, a complete stay of all discovery is not in order, but nor does Plaintiff need to propound nearly the amount of discovery requests described by

1 Defendants. Accordingly, the Court orders as follows:

- 2 1. Plaintiff may propound no more than 15 interrogatories, no more than 10
3 requests for admissions, and no more than five discovery requests.
- 4 2. Defendants are not required to respond to the discovery already propounded.
5 Plaintiff must resubmit his discovery requests in compliance with the limits set forth
6 above.
- 7 3. Defendants' motion for a protective order (docket number 10) is DENIED.

8 IT IS SO ORDERED.

9 DATED: July 15, 2011


10 JEFFREY S. WHITE
11 United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DALE RICHARD STEIN,

Case Number: CV11-01243 JSW

Plaintiff,

CERTIFICATE OF SERVICE

V.

G WOODS et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 15, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Dale R. Stein
S.V.S.P.
P.O. Box 1050
J82424
Soledad, CA 93960

Dated: July 15, 2011

Jennifer Ottolini

Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk